

| Issue | LUTF Recommendation | Garrett Park Code of Ordinances (GPCO) Chapter 4 | Montgomery County GP Overlay (MCGPO) Sec 59-C-18.11 | Implementation | | |
|--|---|---|--|-------------------------|---|-------|
| | | | | Amend GPCO | Amend MCGPO | Other |
| Side & Rear Setbacks | Adopt MCGPO language for clarity. Both have equivalent results. | Sides: Each side setback shall be a minimum of ten (10) feet and the total of the two side setbacks shall be a minimum of forty (40) per cent of the lot width at the front of the main building line. (2.2) Rear: The rear setback, from the rear main building line to the rear of the lot, shall be forty (40) feet for a lot one hundred (100) feet in depth, decreased for lots of smaller depth and increased for lots of greater depth by seventy (70) per cent of the difference between the lot's average depth and one hundred (100) feet. Sec 402(b) | Side: one side: 10 feet ; sum of both sides: 25 feet for lots with over 60 feet in width at the building line, and 20 feet for lots with 60 feet or less in width at the building line. Rear: 25 feet for lots over 90 feet in depth and 15 feet for lots with 90 feet or less in depth. Sec 59-C-18.113(3) | Yes, use MCGPO language | No | |
| Front Setback (Exemption)ⁱ | Additions and renovations to existing houses should be allowed up to the existing front building line, so long as it's no closer than 25 feet from the Town's right of way. | Setback from street. No main building or new construction shall be nearer to any street right-of-way than thirty (30) feet.... no main building hereafter erected or any addition to an existing main building shall project beyond ... thirty (30) feet. Sec 402(b)(1) | No main building may be nearer to any street than 30 feet, and if the adjoining lots are occupied by buildings with a front yard setback greater than this requirement, no building hereafter erected or any addition to an existing building can project beyond the line previously established by the buildings on the adjoining lots. Sec 59-C-113(a) | Yes | Yes | |
| Exemptions for Projectionsⁱⁱ | GP should recognize the Montgomery County Exemptions for Projections in the MoCo Zoning Ordinance (MCZO). May want to have own GP definitions? | | In MC Zoning Ordinance, not in the MCGPO. | Yes | No, if the same as MCZO, yes if different | |

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| Exemption for open (covered) porchesⁱⁱⁱ | Open porches added to <u>existing</u> houses may project up to, but no more than, 9 feet into the front setback, including the roof. | Notwithstanding the above, open porches added to structures existing as of the effective date of this ordinance may extend up to eight (8) feet beyond the established or required front setback line. [Ord. 1999-03, adopted 09/13/1999] Sec 102, 402(b)(1)(1.3) | A front porch added to a main building existing as of February 15, 2000 may extend up to eight feet into the minimum front yard setback. Any front porch extending into the minimum front yard setback, under this provision, may be covered, but not enclosed. Sec 59-C-18-113(a)(1) | Yes | Yes | |
| Flat wall plane^{iv} | Long, flat walls should include a visual break. The Town should permit a bay window or oriel to jut two feet into a side setback, not just the front or rear setbacks | | Bay windows. In any residential zone, any bay window, oriel, entrance, vestibule or balcony, 10 feet or less in width, may project not more than 3 feet into any minimum front or rear yard. (MoCo Zoning Ordinance, not MCGPO) | Yes | Yes | |
| Floor Area Ratio^v | Work with County to improve definitions for residential properties | In variance provisions (Sec 403(c)(1.2.1) but not elsewhere | The maximum floor area ratio for main plus accessory buildings is .375. Sec 59-C-18.113(5) | Yes | Yes | |
| Relief for small lots^{vi} (Consider whether these variance criteria should be adopted to be by right as a first step?) | Adopt a sliding lot scale for lot coverage. | If the lot area is equal to or less than 8,600 square feet, then the net lot area to be covered by buildings, including accessory buildings, shall not exceed 1,720 square feet or 25 per cent of the net lot area, whichever is less. Net lot area is defined as the total horizontal area included within the rear, side and front lot lines. In variance provisions, Sec 403(c)(1.2.2) only. | | Yes | Yes | |

| Additional recommendations | | | | | | |
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| Consistency of Language Between GPCO and MCGPO | Incorporate "Purpose" clause (Sec 59-C-18.111 MCGPO) into GPCO and make other changes as required to bring consistency between GPCO and MCGPO (proposed by CM Irons) | Sec 401(a) and 402(a) | Sec 59-C-18.111 | Yes | Maybe, depends on extent of changes | |
| Lot Coverage | Consider eliminating the 18% lot coverage for main buildings and 2% lot coverage for garage/accessory buildings and allowing owner to choose a main/accessory building configuration up to 20% (proposed by CM Schulp) | Sec 402(b)(3) | Sec 59-C-18.113(4) | Yes | No | |
| Visual Bulk | Attic space of over 6'6" to be included in FAR regardless of roof construction system. (proposed by Harry Gordon) Note: This needs more work to refine. | | | Yes | Yes | |

ⁱ Before R-90 was mandated, many homes were setback less than 30 feet. If an owner wants to add a second story to one of these homes, the front wall of the second story must be 30 feet from the street. The second story would be set back from the original first floor wall several feet. The LUTF recommends some relief (5 ft) for older homes in order to discourage demolition of existing housing stock.

ⁱⁱ It was the belief of the LUTF that these exemptions were by reference included in the GP overlay, with the exception of covered porches, which are explicitly limited to 8 feet, not 9 ft. A property attorney rendered a legal opinion supporting this interpretation.

ⁱⁱⁱ By adding the roof measurement (overhang), the actual size of a porch is unlikely to change significantly.

^{iv} Currently only a chimney may jut into the side setback. Houses built on long narrow lots tend to have at least one flat wall that adds to a sense of mass. This recommendation is intended to enhance the aesthetic appearance of the house.

^v Garrett Park Overlay first residential use of FAR. FAR was used mainly in commercial zones. Language still reflects commercial origins.

^{vi} The County no longer recognizes the variance allowed by the GP Ordinance for small lots. A sliding scale would allow greater lot coverage for very small lots, but the closer a lot gets to the norm, the less extra coverage would be allowed.